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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,424	01/20/2004	Chikuni Kawakami	0879-0426P	7763
2292 7590 06/19/2008 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
EXAMINER WANG, KENT F				
ART UNIT 2622		PAPER NUMBER		
NOTIFICATION DATE 06/19/2008		DELIVERY MODE ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/759,424

Applicant(s)

KAWAKAMI, CHIKUNI

Examiner

KENT WANG

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2008.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
4a) Of the above claim(s) 3 and 4 is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-2 and 5-10 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 05/12/2008 has been entered.

Response to Amendment

2. The amendments, filed on 04/11/2008, have been entered and made of record. Claims 1-10 are pending. Claims 3 and 4 have been withdrawn.

Response to Arguments

3. Applicant's arguments with respect to claims 1-2 and 5-10 have been considered but are moot in view of the new ground(s) or rejection.

Claim Rejections - 35 USC § 102

4. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
5. Claims 1-2 and 5-10 are rejected under 35 U.S.C. § 102(b) as being anticipated by Yamamoto, US 6,041,192.

Regarding claim 1, Yamamoto discloses a digital camera having an electronic flash device using a light-emitting diode as a flash light source, comprising:

- a non-volatile memory (an EEPROM memory 64, Fig 2) which stores correction information for correcting white balance of an image (an information code 30Q is corresponding to information such as a color temperature information which is used for performing a white balance adjustment) obtained by flash shooting using the electronic flash device (the light emitted by the LED 42b of the main light source 42, Fig 2) (col. 6, lines 31-46), the non-volatile memory (64) storing the correction information set based on a detection result of a color temperature of light actually emitted from the electronic flash device (42), wherein the correction information is for the light only of said light-emitting diode (the information codes 30Q correspond to the color temperature, therefore, when the images are read from the image recording areas 30G, 30R, and 30B by the line sensor 44, the amount of light emitted by the LED 42b of the main light source 42 is adjusted based on the transmittances of the information codes 30Q, so that the white balance adjustment can be performed) (col. 12, lines 18-25); and
- a white balance correcting device (the white balance sensor 75, Fig 2) which corrects white balance of the image obtained by flash shooting using the electronic flash device (42) based on the correction information (30Q) stored in the non-volatile memory (64) (col. 7, line 41 to col. 8, line 5 and Figs 5A-5B).

Regarding claim 2, Yamamoto discloses digital camera having an electronic flash device using a light-emitting diode as a flash light source, comprising:

- a non-volatile memory (an EEPROM memory 64, Fig 2) which stores correction information (an information code 30Q) for correcting white balance of an image obtained by flash shooting (light source 42), wherein the correction information is for the light only of said light-emitting diode (the information codes 30Q correspond to the color temperature, therefore, when the images are read from the image recording areas 30G, 30R, and 30B by the line sensor 44, the amount of light emitted by the LED 42b of the main light source 42 is adjusted based on the transmittances of the information codes 30Q, so that the white balance adjustment can be performed) (col. 12, lines 18-25),
- a white balance correcting device (the white balance sensor 75, Fig 2) which corrects white balance of the image obtained by flash shooting (the light emitted by the LED 42b of the main light source 42, Fig 2) based on the correction information stored in the non-volatile memory (col. 7, line 41 to col. 8, line 5 and Figs 5A-5B).
- a modification information storage device (an IC memory card, for example, in an image recording device 67, Fig 2) which stores modification information (pixel signals outputted from the image process circuit 63) for correcting the correction information (30Q) stored in the non-volatile memory (64), the modification information storage device (67) storing the modification information required to make the correction information (30Q) stored in the non-volatile memory (64) coincident with correction information set based on a detection result of light actually emitted from the electronic flash device (the information codes 30Q correspond to the color temperature, therefore, when the images are read from the image recording areas

- 30G, 30R, and 30B by the line sensor 44, the amount of light emitted by the LED 42b of the main light source 42 is adjusted based on the transmittances of the information codes 30Q, so that the white balance adjustment can be performed) (col. 12, lines 18-25),
- a modifying device (image processing circuit 63, Fig 2) which modifies the correction information (30Q) based on the modification information (pixel signals outputted from the image process circuit 63) stored in the modification information storage device (an image recording device 67, Fig 2) (col. 5, lines 26-41); and
 - the white balance correcting device (white balance sensor 75, Fig 2) corrects the white balance of the image obtained by flash shooting (the light emitted by the LED 42b of the main light source 42, Fig 2) based on the correction information modified by the modifying device (63) (col. 7, line 41 to col. 8, line 5 and Figs 5A-5B).

Regarding claim 5, Yamamoto discloses an input device (interface circuit 65, Fig 2) for inputting the white balance correction information (color temperature information is used for performing a white balance adjustment), wherein the non-volatile memory (an EEPROM memory 64, Fig 2) stores the white balance correction information inputted through the input device (65) (col. 5, lines 14-41).

Regarding claim 6, Yamamoto discloses an input device (interface circuit 65, Fig 2) for inputting the modification information (pixel signals outputted from the image process circuit 63), wherein the modification information storage device (an IC memory card, for example, in an image recording device 67, Fig 2) stores the modification information inputted through the input device (65) (col. 5, lines 26-41).

Regarding claim 7, Yamamoto discloses the correction information is set based on a characteristic of the LED (the amount of light emitted by the LED 42b of the main light source 42 is adjusted based on the transmittances of the information codes 30Q, so that the white balance adjustment can be performed.) (col. 12, lines 18-25).

Regarding claim 8, this claim recites same limitations as claim 7. Thus it is analyzed and rejected as previously discussed with respect to claim 7 above.

Regarding claim 9, Yamamoto discloses the characteristic of the LED is stored in the non-volatile memory as the characteristic of the LED changes with time (the amount of light emitted by the LED 42b of the main light source 42 is adjusted based on the information codes 30Q which is corresponding to information such as a photographed date and time, a color temperature information, and so on) (col. 6, lines 31-46 and col. 12, lines 18-25).

Regarding claim 10, this claim recites same limitations as claim 9. Thus it is analyzed and rejected as previously discussed with respect to claim 9 above.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Nakayama (US 6,963,362), Kitajima (US 5,808,681), Kawakami (US 2002/0025157), Oya et al. (US 2003/0052985), Hamamura et al. (US 2003/0133021), Haavisto (US 2001/0007470), and Nagai et al. (US 2003/00161198).

Inquiries

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kent Wang whose telephone number is 571-270-1703. The examiner can normally be reached on 8:00 A.M. - 5:30 PM (every other Friday off).
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-270-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

KW
28 May 2008

/Ngoc-Yen T. VU/

Supervisory Patent Examiner, Art Unit 2622